

MINUTES

ALCOHOL AND TOBACCO COMMISSION

MAY 20, 2008

CALL TO ORDER/NOTING OF QUORUM

Chairman Heath called the meeting to order and noted the quorum and the attendance. Present were Vice Chairman Johnson, Commissioner Sturtz and Commissioner Guthrie. Also in attendance was Executive Secretary Choe.

Lisa Goldner, Debbie Scott, Nicole Upano, Grant Monahan, John Barnett, Jeff McKean, Bonnee Reay, Kirk McKinney, Ed Malinowski, April Cuzzo and Mark Webb were present as observers.

DISPOSITION OF MINUTES

Commissioner Sturtz moved to approve the minutes that were submitted for the May 7, 2008 meeting. Motion seconded by Commissioner Guthrie and it was unanimously approved.

HEARING JUDGE'S RECOMMENDATIONS

PAD FORMS – Vice Chairman Johnson moved to approve the parties agreed disposition forms that were submitted for the May 20, 2008 meeting. Motion seconded by Commissioner Sturtz and it was unanimously approved.

CONSIDERATION OF APPLICATIONS

I incorporate by reference these lists of permits for renewal, which have been recommended by local boards and reviewed by said staff with the authority of the Commission, and hereby move for approval of same and the inclusion of these lists as part of the minutes by exhibit. Motion seconded by Commissioner Guthrie and it was unanimously approved.

I incorporate by reference these lists of permit applications for a new permit or application for changes in location or ownership or both of existing permits, which have been recommended by local boards and reviewed by at least two Commissioners and hereby move for approval of same and inclusion of these lists as part of the minutes by exhibit. Motion seconded by Commissioner Guthrie and it was unanimously approved.

I incorporate by reference these lists of permit applications for catering and hereby move for approval of same and the inclusion of these lists as part of the minutes by exhibit. Motion seconded by Commissioner Guthrie and it was unanimously approved.

I incorporate by reference these lists of permits to be placed in escrow for not more than one year, which have been reviewed and recommended by a Commissioner as appropriate for first or second year escrow and hereby move for approval of same and the

inclusion of these lists as part of the minutes by exhibit. Motion seconded by Commissioner Guthrie and it was unanimously approved.

Four hundred thirty-three (433) renewals approved, forty-five (45) new and/or transfer permits approved, seven (7) permits approved for catering, two (2) permits approved for first year escrow, two (2) permits approved for second year escrow, six (6) permits approved for third year escrow and two (2) permits approved for fourth year escrow.

RENEWAL LETTERS AND WAIVER OF FEES

Vice Chairman Johnson moved to approve the renewal letters and the waiver of fees for letters of extension for the preceding weeks. Motion seconded by Commissioner Sturtz and it was unanimously approved.

APPLICATIONS FOR DISCUSSION

RR45-23889 AND 23890 CARLO'S PIZZERIA LLC – Chairman Heath noted this is a new type 103 application and a new type 210-1 application with the local board voting three (3) to zero (0) to approve.

Commissioner Guthrie moved to uphold the local board and approve the new permits. Motion seconded by Vice Chairman Johnson and it was unanimously approved.

DL45-23891 WAL-MART STORES EAST LP – Chairman Heath noted this is a new type 208 application with the local board voting two (2) to one (1) to disapprove.

Commissioner Guthrie stated that the record for this matter is quite voluminous. He has not had the opportunity to review all of the material that was presented.

Commissioner Guthrie moved to table this until the next meeting. Motion seconded by Commissioner Sturtz and it was unanimously approved.

RR45-81351 PLUM CREEK INVESTMENTS, LLC – Chairman Heath noted this is a type 210 transfer of ownership and location with the local board voting three (3) to zero (0) to disapprove.

Commissioner Guthrie stated the local board recommended denial of this application because the applicant has not attended the local board meeting as required.

Commissioner Guthrie moved to uphold the local board's recommendation and deny the transfers. Motion seconded by Vice Chairman Johnson and it was unanimously approved.

INACTIVE FILES

PERMITS MADE INACTIVE - Vice Chairman Johnson moved to make fifteen (15) permits inactive. Thirteen (13) permits are not subject to auction and two (2) permits are subject to auction. Motion seconded by Commissioner Sturtz and it was unanimously approved.

OLD BUSINESS

No Old Business

NEW BUSINESS

No New Business

POLICY DETERMINATIONS

No Policy Determinations

ANNOUNCEMENTS

No Announcements

ADJOURNMENT

Commissioner Sturtz moved to adjourn the meeting. Motion seconded by Commissioner Guthrie and it was unanimously approved.

Approved this _____ day of _____, 2008.

DAVE HEATH, CHAIRMAN

DAVID JOHNSON, VICE CHAIR

DALE STURTZ, COMMISSIONER

FRANK GUTHRIE, COMMISSIONER